

IN RE: PETITION FOR ADMINISTRATIVE	* BEFORE THE
ZONING VARIANCE	
SEC Whips Lane and Gunview Road	* ZONING COMMISSIONER
1 Whips Lane	* OF BALTIMORE COUNTY
11th Election District	
5th Councilmanic District	* Case No. 95-483-A
John Greer Disney III	
Petitioner	*

\* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by John Greer Disney III for that property known as 1 Whips Lane in the Red Fox Farm subdivision of Baltimore County. The Petitioner/property owner herein seeks a variance from Sections 504.2 and 301.1A of the Baltimore County Zoning Regulations (BCZR) to permit a setback of 6.5 ft., in lieu of the required 11.25 ft., for an open projection (deck) in a D.R.3.5 zone. The property and relief sought are more particularly described on Petitioner's Exhibit No. 1, the plat to accompany the Petition.

The Petitioner having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioner has filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should, therefore, be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of

ORDER RECEIVED FOR FILING

Date 7/27/95  
By M. H. [Signature]

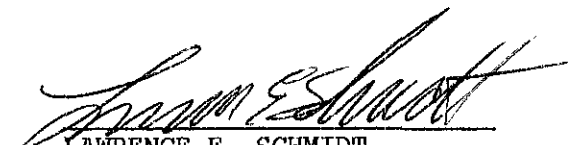
MICROFILMED

Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 27<sup>th</sup> day of July, 1995 that the Petition for a Zoning Variance from Sections 504.2 and 301.1A of the Baltimore County Zoning Regulations (BCZR) to permit a setback of 6.5 ft., in lieu of the required 11.25 ft., for an open projection (deck), be and is hereby GRANTED, subject, however, to the following restriction:

1. The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

  
LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

LES:mmn

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning



Suite 112 Courthouse  
400 Washington Avenue  
Towson, MD 21204

(410) 887-4386

July 27, 1995

Mr. John Greer Disney III  
1 Whips Lane  
Baltimore, Maryland 21236

RE: Petition for Administrative Zoning Variance  
Case No. 95-483-A  
Property: 1 Whips Lane

Dear Mr. Disney:

Enclosed please find the decision rendered in the above captioned case. The Petition for an Administrative Variance has been granted, with restrictions, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Lawrence E. Schmidt".

Lawrence E. Schmidt  
Zoning Commissioner

LES:mmn  
encl.





# Petition for Administrative Variance

95-483-A

## to the Zoning Commissioner of Baltimore County

for the property located at 1 Whips Lane

which is presently zoned D.R.3.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 504.2 VB6.b (OLD C.M.D.P.) and

301.1A to allow an open projection (deck) a setback of 6.5 ft. in lieu of the required 11.25 ft.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

1. Current setback requirements are set at 11.4'. This would allow me to build a deck 7.0' in width. Many constructed or planned decks in this area are 12.0' to 20.0' wide.
2. This property is unique in that it backs to my neighbors side yard. All other lots back to open space, and have much deeper yards.
3. The design of this lot and home were the creation of Sterling Homes without any input from the current owner. The home was built with a 6.0x6.8 sliding door off the 2nd floor.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City State Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

Address Phone No.

City State Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

John Geer Disney 3RD.

(Type or Print Name)

John Geer Disney 3RD.

Signature

N/A

(Type or Print Name)

N/A

Signature

1 Whips Lane

Address

W. 410.234.6084

H. 410.256.0131

Phone No.

Baltimore Maryland 21236

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

John Geer Disney 3RD

Name

1 Whips Lane

Address

H. 410.256.0131

Phone No.

W. 410.234.6084

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this \_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted.

Zoning Commissioner of Baltimore County

REVIEWED BY: CAM

DATE: 22 June 95

ESTIMATED POSTING DATE: 2 July 95

Printed with Soybean Ink  
on Recycled Paper

ITEM #: 479

# Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 1 Whips Lane  
address  
Baltimore County Maryland 21236  
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

1. Current set back requirements are set at 11.4'. This would allow me to build a deck 7.0' in width. Many constructed or planned decks in this area are 12.0' to 20.0' in width.
2. This property is unique in that it backs to my neighbors side yard. All other lots back to open space and have much deeper yards.
3. The design of this lot and house were the creation of Sterling Homes without any input from the current owner. This house was built with a 6.0'x6.8' sliding door off the 2<sup>nd</sup> floor.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

John Geer Disney 3RD  
(signature)  
John Geer Disney 3RD  
(type or print name)



(signature)

(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 22 day of JUNE, 19 95, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

JOHN GEER DISNEY 3RD

the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

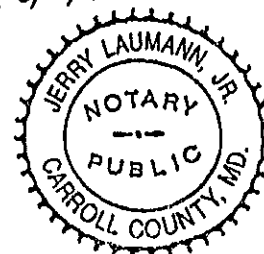
AS WITNESS my hand and Notarial Seal.

6/22/95  
date

Jerry Laumann Jr  
NOTARY PUBLIC

My Commission Expires: 3/19/96

City/County of CARROLL  
State of Maryland. Acknowledged and sworn  
before me this 22 day of JUNE 19 95  
Notary Public My Comm. Exps. 3/19/96



## **ZONING DESCRIPTION**

### **1 Whips Lane**

95-483-A

Beginning at a point on the south side of Whips Lane, which is 50 feet wide, at the distance of 42.5 feet east of the centerline of the nearest improved intersecting street - Gunview Road, which is 65 feet wide. Being Lot #17, Section #1, in the subdivision of Red Fox Farm as recorded in Baltimore County Plat Book #58, Folio 9 #114, containing 9,860.46 square feet. Also known as 1 Whips Lane and located in the 11th Election District, 5th Councilmanic District.

93-483-A

**CERTIFICATE OF POSTING**  
**ZONING DEPARTMENT OF BALTIMORE COUNTY**  
**Towson, Maryland**

---

District 1108

Date of Posting 7/8/95

Posted for: Vorionics

Petitioner: John Disney, 3rd

Location of property: 1 Whips Lane, SE Cor.

Location of Signs: Facing road way, on property being zoned

Remarks: \_\_\_\_\_

Posted by M. J. J. J. Date of return: 7/14/95

Signature

Number of Signs: 1



BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

95-483-A

No.

000017

DATE 22 June 95 ACCOUNT R-001 6150

AMOUNT \$ 85.00

RECEIVED FROM: John D. Sney III

FOR: VARIANCE

03A03#0216MIDHRC

BA CODE: 22776-22-95

\$85.00

VALIDATION OR SIGNATURE OF CASHIER

DISTRIBUTION  
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER



Baltimore County Government  
Office of Zoning Administration  
and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
  - 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.
- NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

-----  
For newspaper advertising:

Item No.: 479

Petitioner: John Geer Disney 3RD.

Location: 1 Whips Lane

PLEASE FORWARD ADVERTISING BILL TO:

NAME: John Geer Disney 3RD.

ADDRESS: 1 Whips Lane

Baltimore, Maryland 21236

PHONE NUMBER: 410-256-0131 or 410-234-6084.

AJ:ggs

(Revised 04/09/93)



Baltimore County Government  
Office of Zoning Administration  
and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

July 13, 1995

NOTICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER: 95-483-A (Item 479)  
1 Whips Lane  
SEC Whips Lane and Gunview Road  
11th Election District - 5th Councilmanic

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

- 1) Your property should have been posted on or before July 9, 1995. The closing date (July 24, 1995) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.
- 2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).
- 3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

Arnold Jablon  
Director  
Department of Permits and Development Management

cc: John Geer Disney, 3rd

MICROFILMED



Baltimore County Government  
Office of Zoning Administration  
and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

July 20, 1995

Mr. John Geer Disney  
1 Whips Lane  
Baltimore, Maryland 21236

RE: Item No.: 479  
Case No.: 95-483-A  
Petitioner: J.G. Disney

Dear Mr. Disney:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on June 22, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

A handwritten signature in dark ink, appearing to read "W. Carl Richards, Jr.", written over a faint, larger version of the same signature.

W. Carl Richards, Jr.  
Zoning Supervisor

WCR/jw  
Attachment(s)



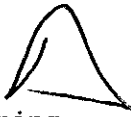
BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Zoning Administration and  
Development Management

DATE: July 12, 1995

FROM: Pat Keller, Director  
Office of Planning and Zoning



SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):

Item Nos. 479, 481, 484, 491, 492, 495, 4, and 6. ?

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by:

Division Chief:

PK/JL

BALTIMORE COUNTY, MARYLAND  
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT  
INTER-OFFICE CORRESPONDENCE

TO: ZADM

DATE: 7/18/95

FROM: DEPRM  
Development Coordination

SUBJECT: Zoning Advisory Committee  
Agenda: 7/10/95

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s: 478

479

480

481

483

484

485

486

487

489

490

491

494

496

revised 467

LS:sp

LETTY2/DEPRM/TXTSBB

7/18/95



Maryland Department of Transportation  
State Highway Administration

Hal Kassoff  
Administrator

7-7-95

Ms. Joyce Watson  
Zoning Administration and  
Development Management  
County Office Building  
Room 109  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Re: Baltimore County  
Item No.: 479 (CAM)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

*for* Bob Small

Ronald Burns, Chief  
Engineering Access Permits  
Division

BS/

MICROFILMED

## **PETITION PROBLEMS AGENDA OF JULY 10, 1995**

### **#479 --- CAM**

1. No review information on bottom of petition form.

### **#485 --- JJS**

1. Only one legal owner signature -- need signature of Kang.
2. Need original signature for lessee.

### **#486 --- MJK**

1. Petitioner was not given copy of receipt (still in folder).
2. Need telephone number for legal owner.
3. Need title of person signing for contract purchaser.

### **#488 --- RT**

1. Need typed or printed name and title of person signing for contract purchaser.

### **#489 --- JRA**

1. Need title of person signing for legal owner.

### **#493 --- JRA**

1. Need telephone number for legal owner.
2. Need address for legal owner.
3. Need telephone number for attorney.

### **#494 --- JRA**

1. Who is legal owner? (Petition says Michael J. Specht & plat says Exxon Company, USA)

### **#495 --- JJS**

1. Notary public section is incomplete.

### **#496 --- JJS**

1. No original signatures on petitions.

WILLIAM CLARK

## RED FOX FARM HOMEOWNERS ASSOCIATION

*June 19, 1995*

*Members of Record as of September 1994:*

*On June 9, 1995 a submittal was presented to the voting members of the above captioned group detailing a request to install deck and patio on the property at 1 Whips Lane.*

*After their review of that submittal, with no sustained requests for a general meeting outstanding, the request is approved to go forward.*

*The modifications noted in the submittal are to be considered site specific to the property identified in the submittal*

*It is further noted that the plans reviewed will require a variance to be obtained from Baltimore County because of proximity to the property line.*

*Susan M. Ely  
9531 Gunview Road  
Baltimore Maryland 21236*





Dear Neighbors,

Attached here you will find plans for a proposed deck and patio to be constructed on 1 Whips Lane. If you have any questions or comments stop by or call me at H 410-256-0131 or W 410-234-6084.

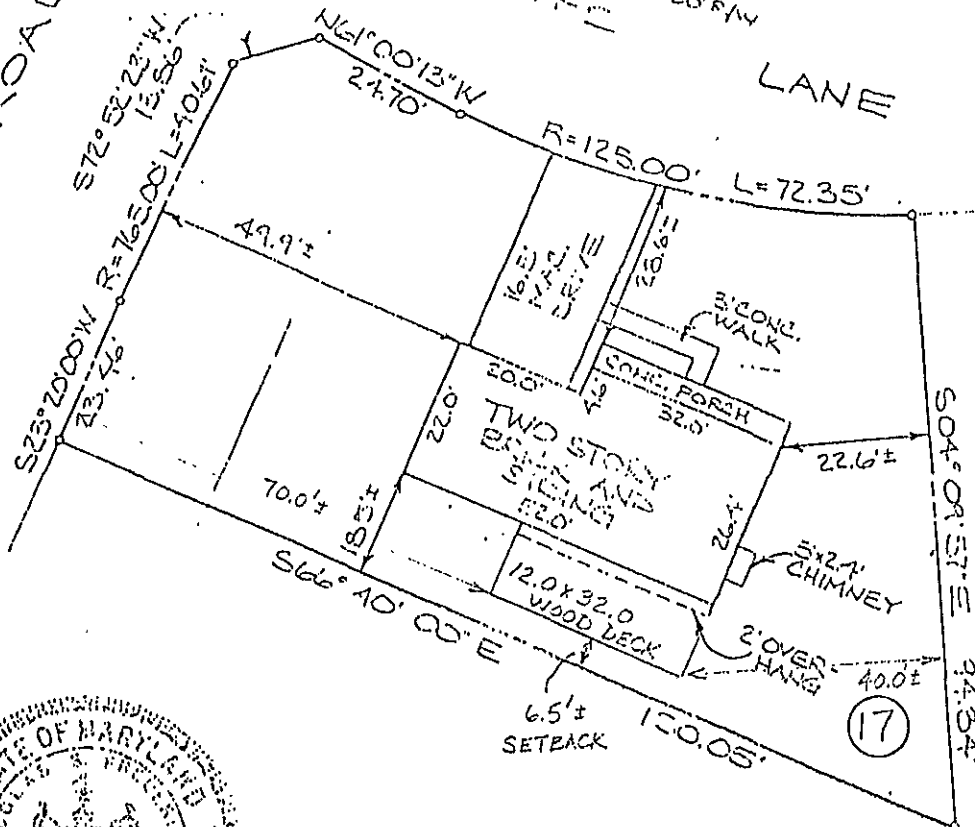
Sincerely,

Jack Disney

MICROFILMED

GUNVIEW ROAD

WHITE LANE



MINIMUM BUILDING SETBACK LINE



REFERENCE LOT # 17 PLAT ENTITLED  
PLAT ONE SECTION ONE RED FOX FARM  
DATED JULY 13, 1988 AND RECORDED  
AMONG THE PLAT RECORDS OF BALTIMORE  
COUNTY, MD. IN PLAT BOOK CM 58 FOLIO 114.

NOTE: THIS PLAT IS NOT INTENDED FOR  
USE IN ESTABLISHING PROPERTY LINES  
AND DOES NOT CONSTITUTE A BOUNDARY  
SURVEY.

THIS IS TO CERTIFY THAT WE HAVE LOCATED  
THE IMPROVEMENTS AND THAT THEY ARE  
LOCATED ON THE LOT(S) AS SHOWN HEREON

*W. D. Wall & Associates, Inc.*  
REGISTERED NO. 407

2/23/93  
DATE



W. D. WALL & ASSOCIATES, INC.  
330 EAST JETTA ROAD  
TOWSON, MARYLAND 21204  
PHONE (301) 583-3371

NOTE: This property does  
not lie within the limits  
of a flood hazard area as  
delineated on the maps of  
the national flood insurance  
program. Map number 240010 0210 B

LOCATION CERTIFICATION OF

1 WHIPS LANE

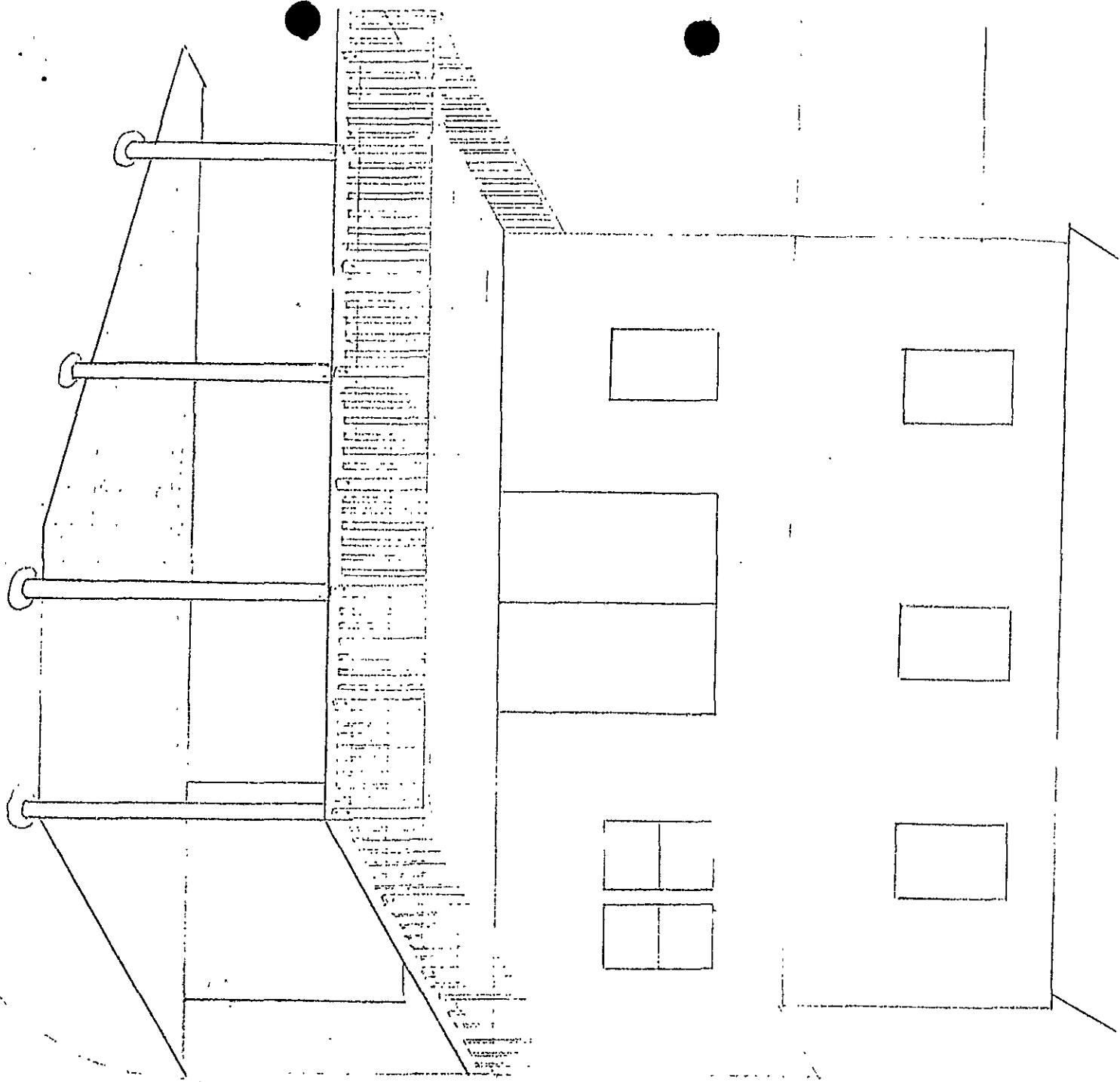
114 ELEC. DIST.

SCALE: 1" = 20'

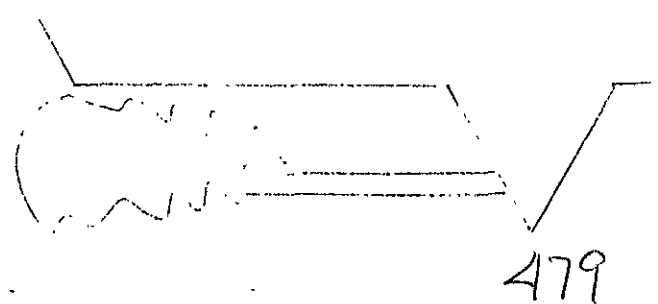
BALTO. CO., MD

FEBRUARY 23, 1993

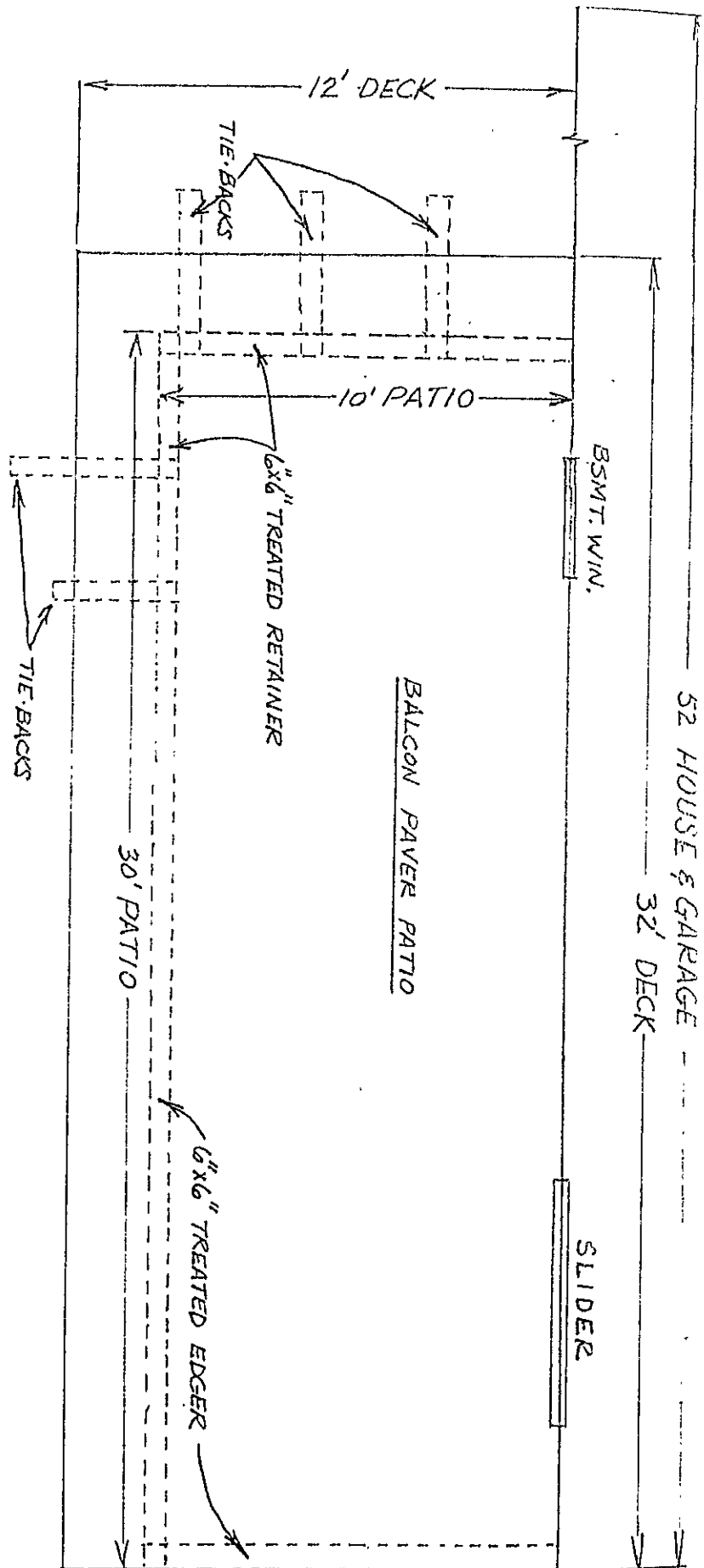
WICKOFTIME



DISNEY  
1 WHIPS LANE



DISNEY  
1 WHIPS LANE



479

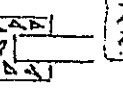
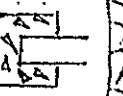
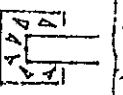
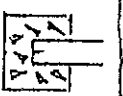
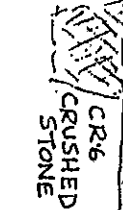
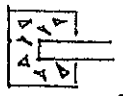
EXISTING  
GRADE

2X10 LEDGER

36" CUT  
EXISTING GRADE

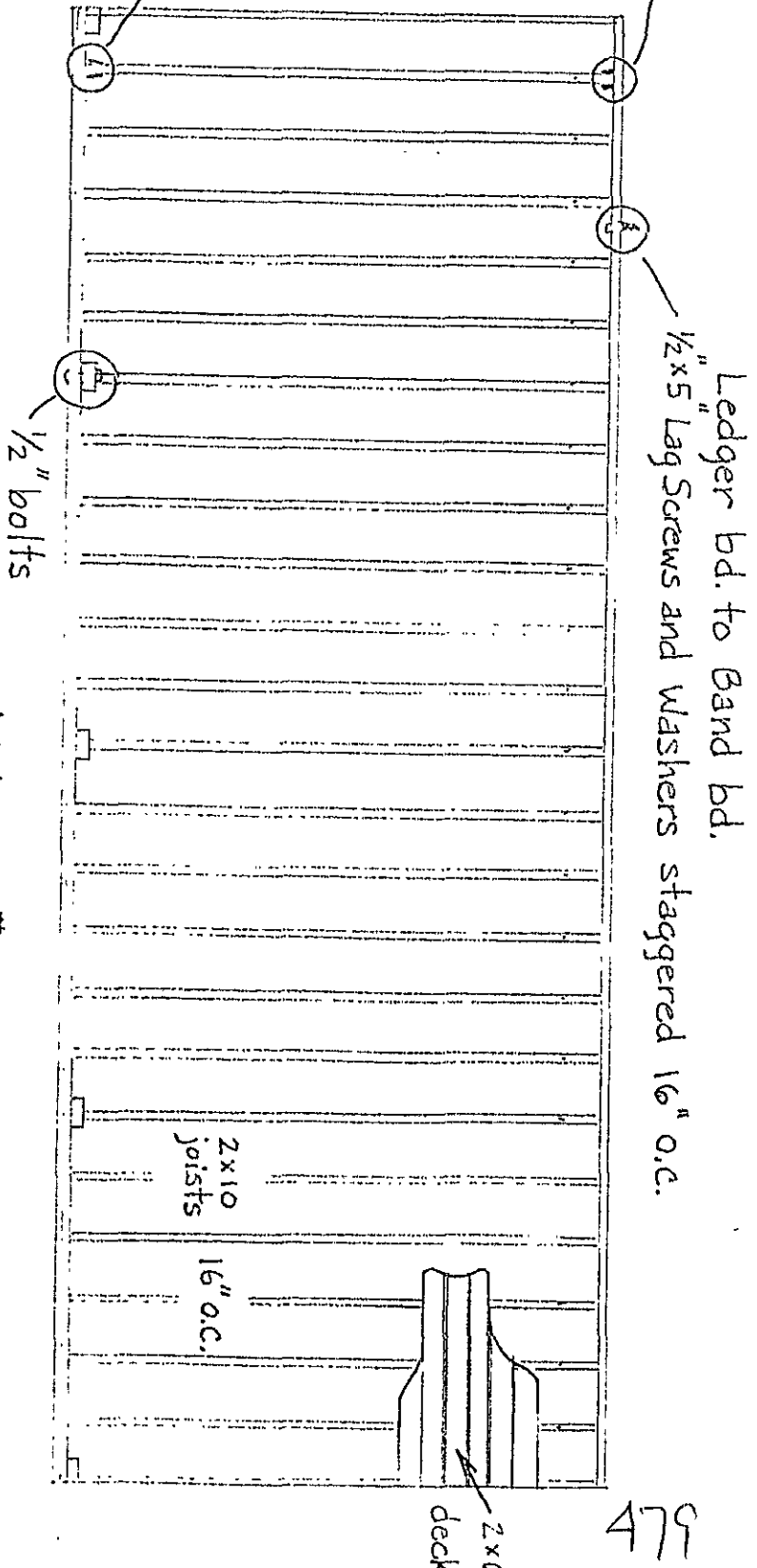
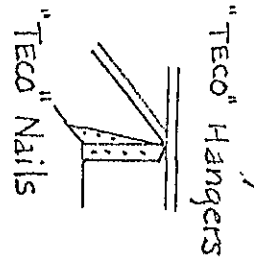
FINAL GRADE AT THRESHOLD

8'6"



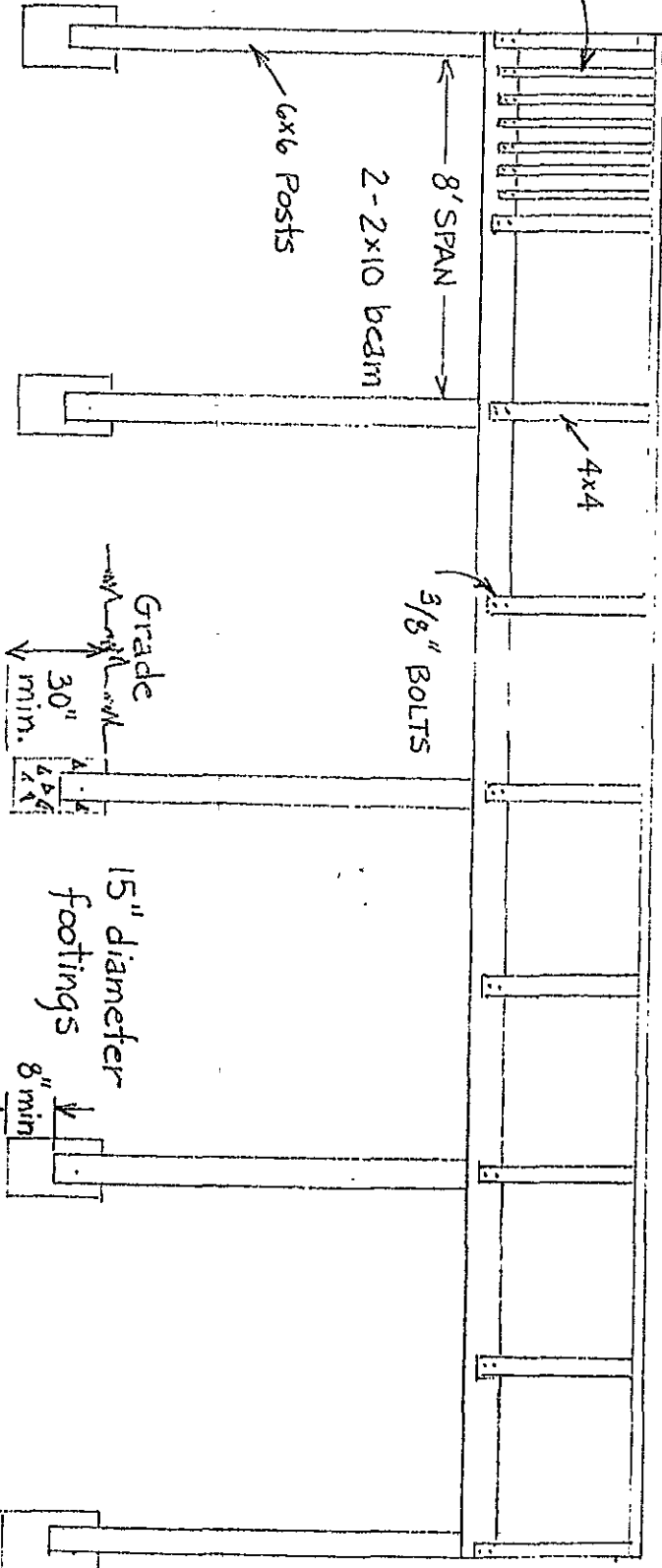
DECK FOOTINGS: 15" DIA/36" DEEP POURED CONCRETE

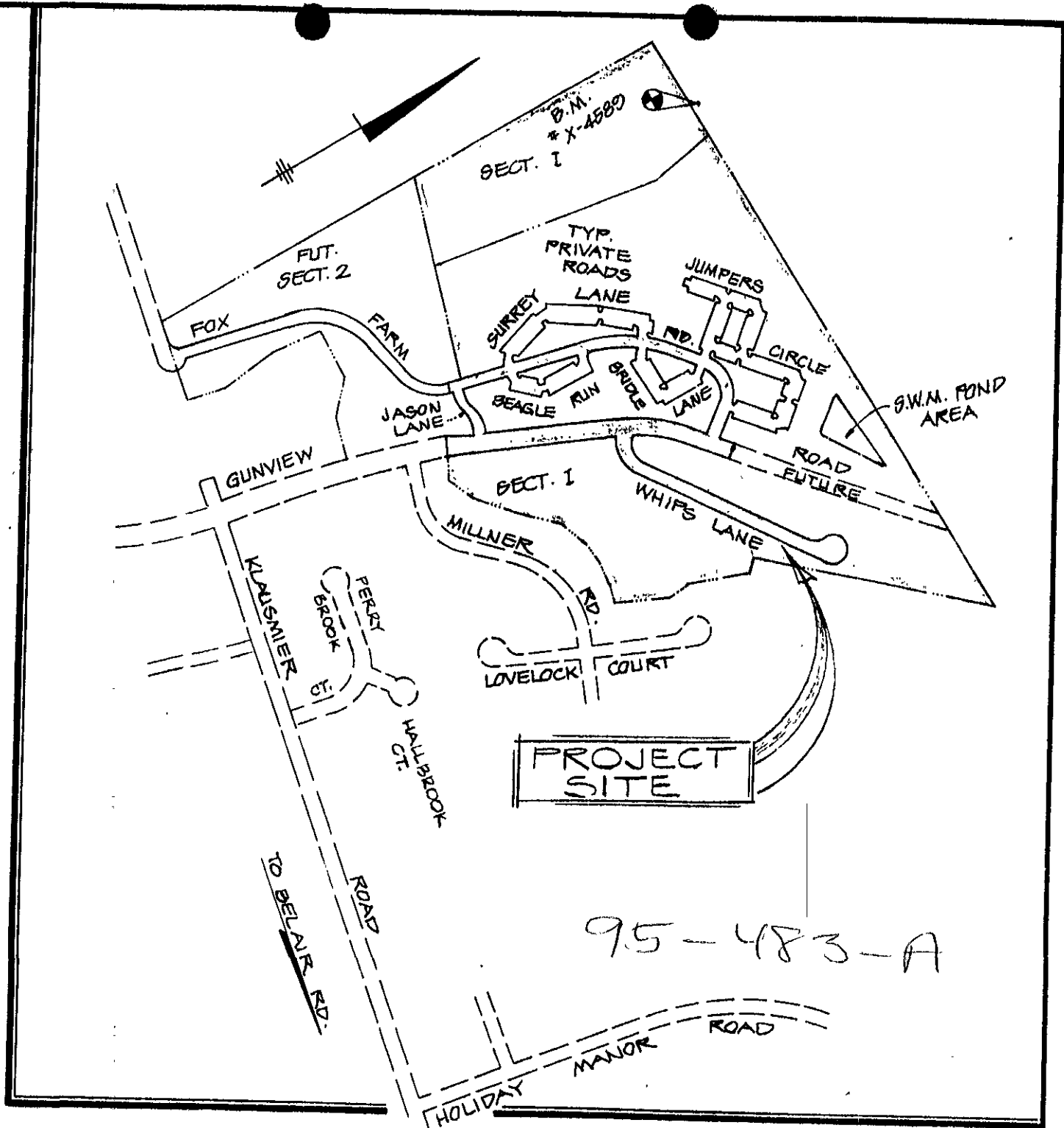
DISNEY  
1 WHIPS LANE



All lumber #2 S.Y.P.

1 1/2" RAILS  
6" o.c.  
TYPICAL





# RED FOX FARM VICINITY MAP

SCALE: 1" = 500'

## BENCH MARK

\* X-4589 EL. 100.03  
7/8" IRON BAR ALONG TRANSMISSION  
LINE (NEAR G & E TOWER #9)  
WEST OF STREAM.

## GENERAL NOTES

TOTAL TRACT

1. TOTAL AREA OF SITE

AL DEVELOPMENT PLAN IS  
D AS A FINAL DEVELOPMENT  
MAY BE APPROVED OR  
USE WHO SUBMIT

# Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 1 Whips Lane

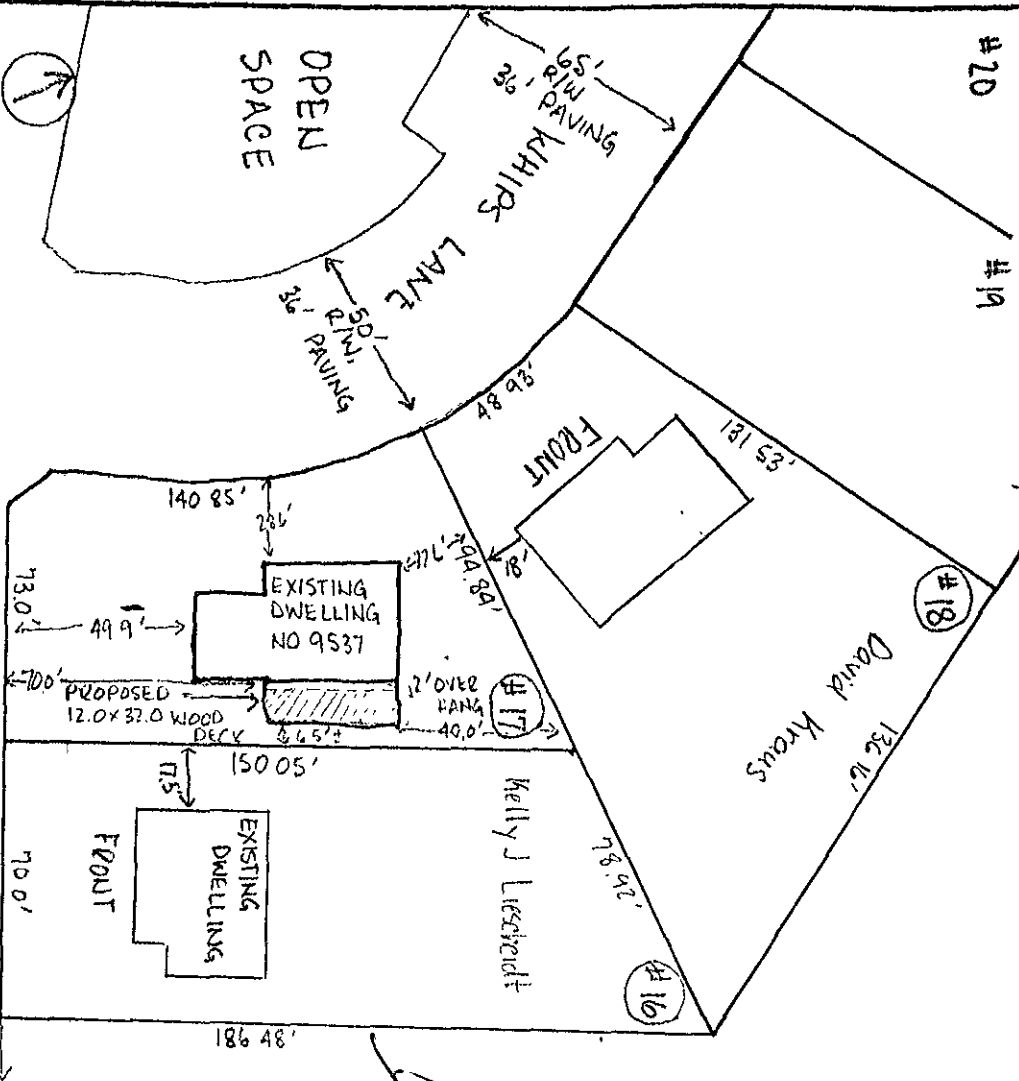
see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: Red Fox Farm

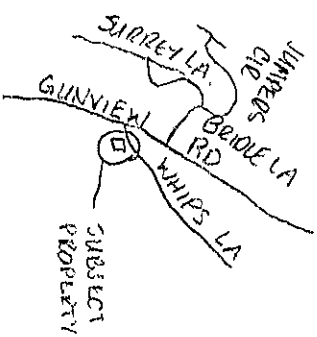
plat book # 58, folio # 114, lot # 17, section # 1

OWNER: John Geer Disney 3RD

95-483-A



North  
date: 5/29/95  
prepared by: John Geer Disney 3RD Scale of Drawing: 1" = 50'



North  
Vicinity Map  
Scale: 1" = 1000'

## LOCATION INFORMATION

Election District: 11  
Councilmanic District: 5

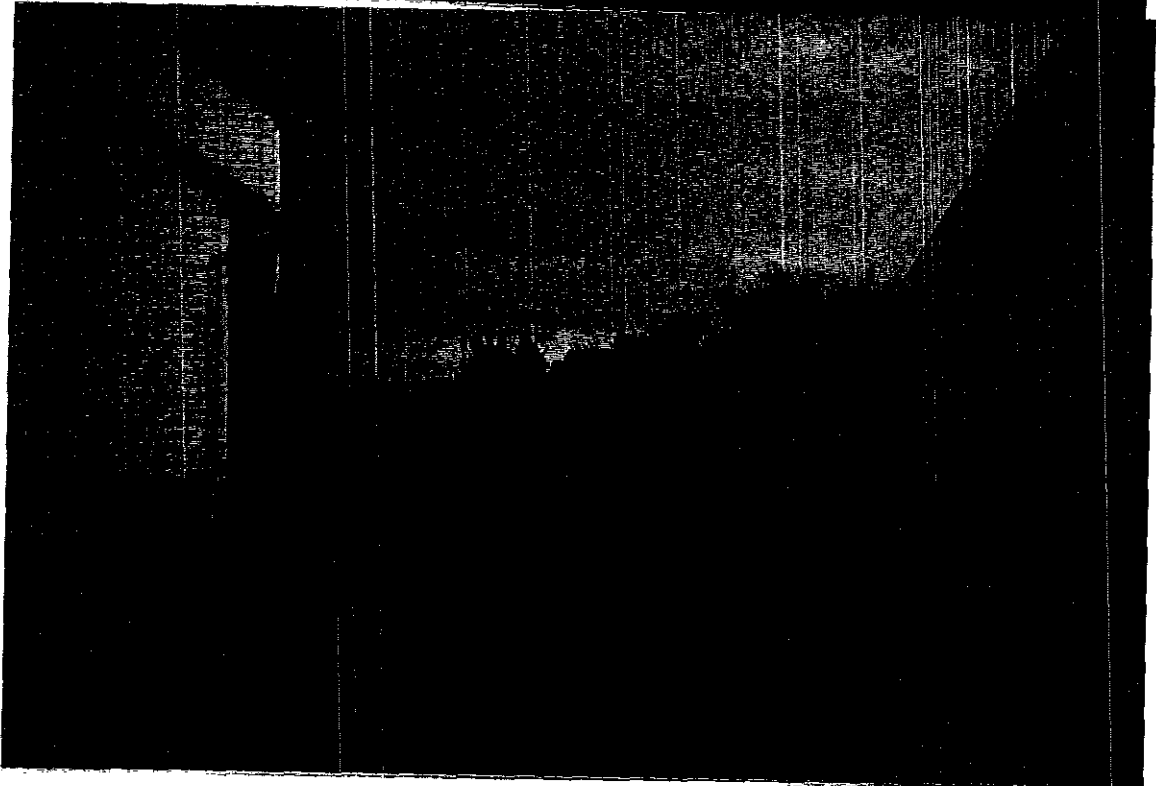
Neighborhood: NE 11G

Zoning: DR 35255  
Lot size: .2194 acreage 9860.46 square feet

Chesapeake Bay Critical Area: ☐ YES ☒ NO  
Prior Zoning Hearings: NONE

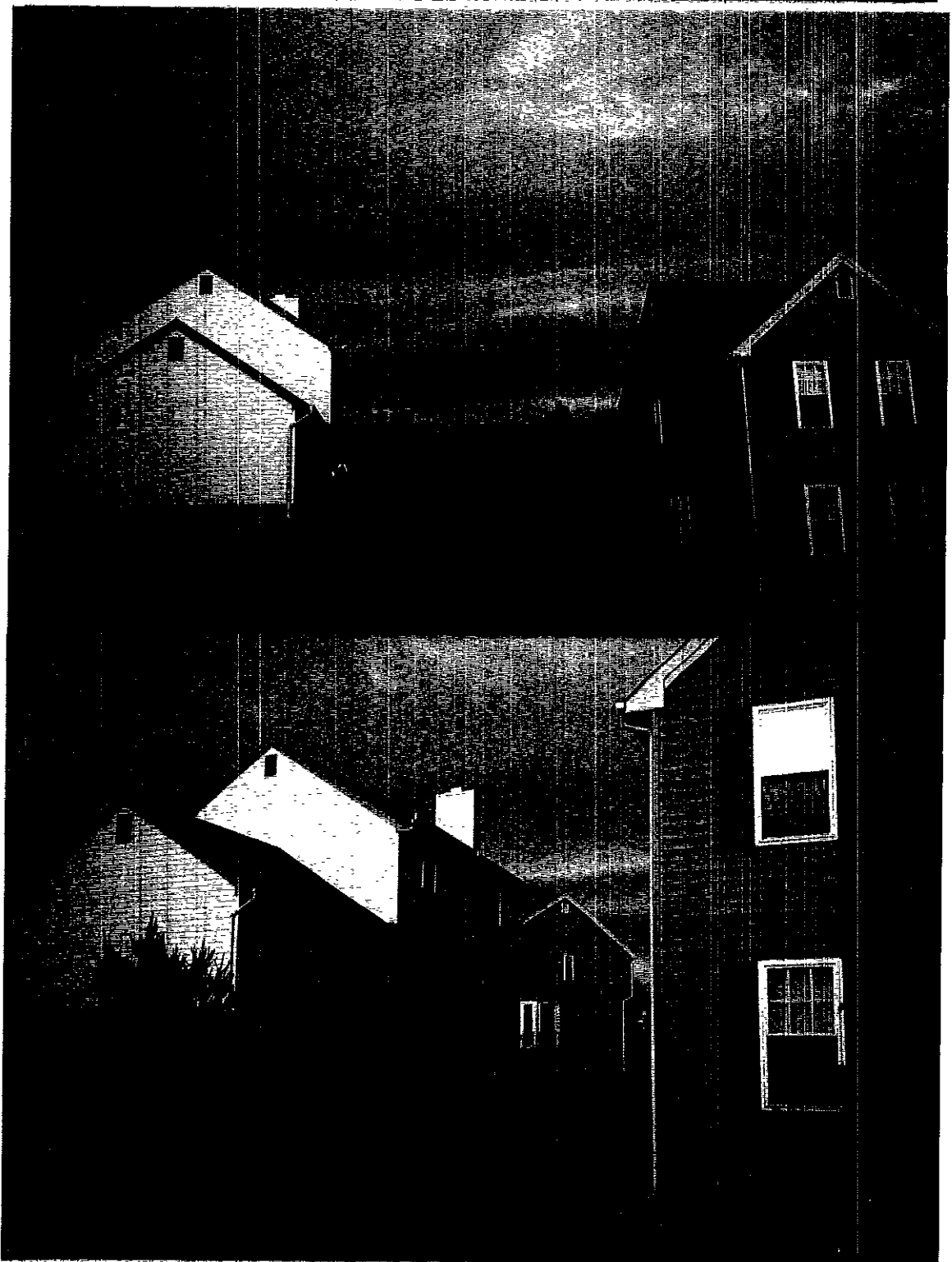
Zoning Office USE ONLY!  
reviewed by: ITEM #: CASE #:

479

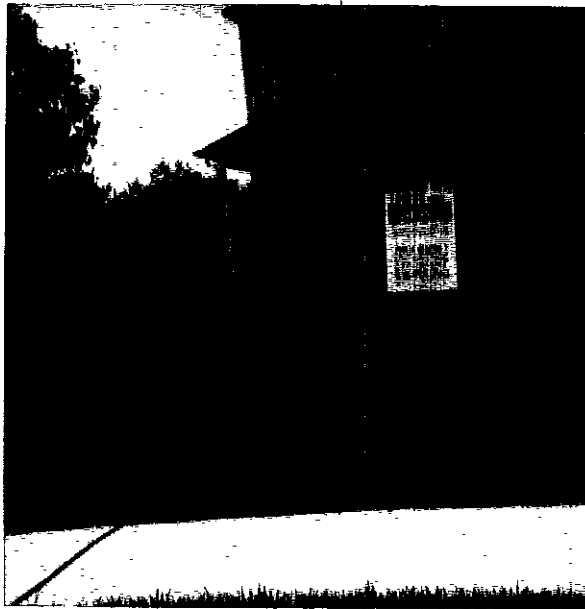




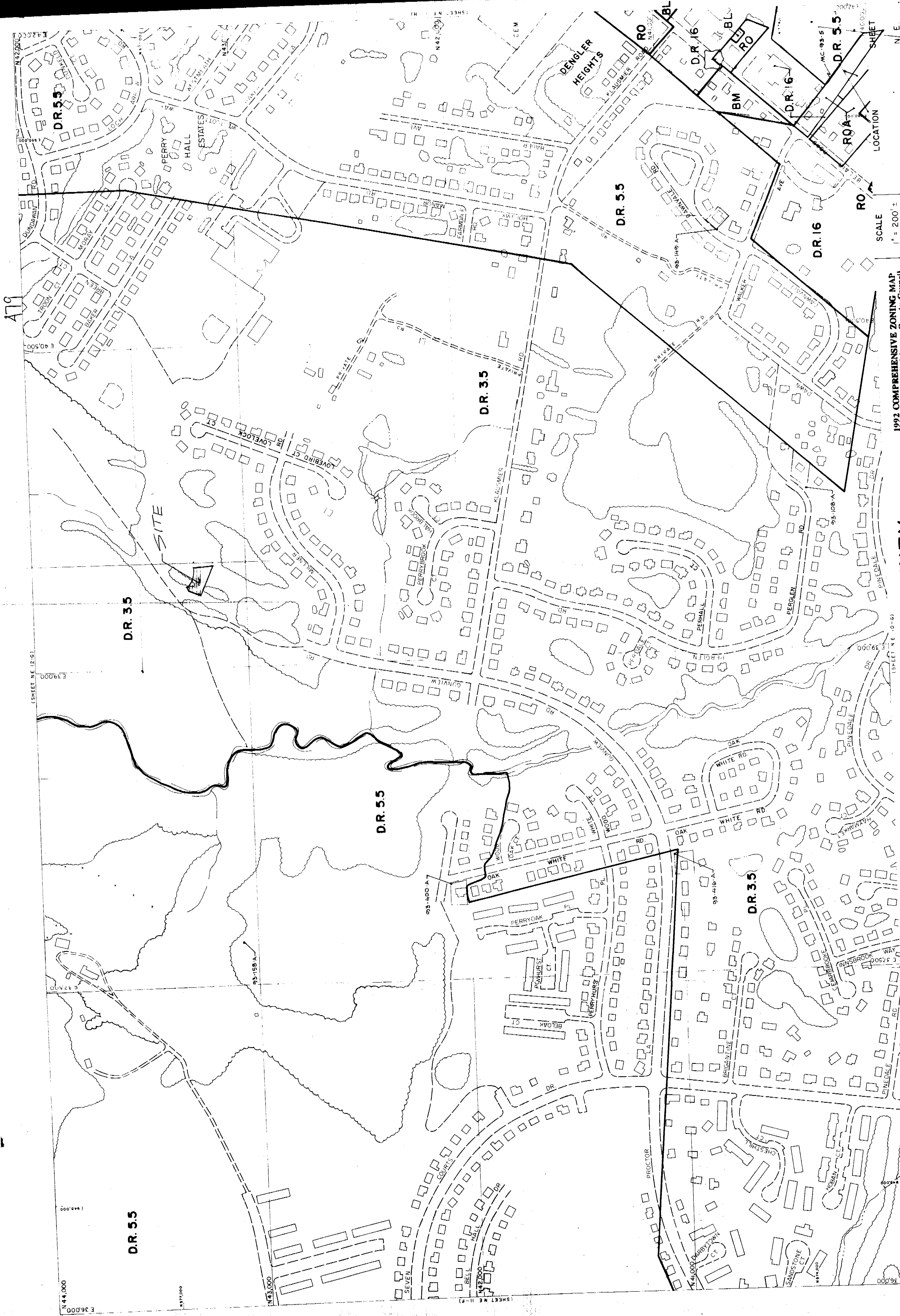
95-483-A



95-483-A



15



**BALTIMORE COUNTY**  
**OFFICE OF PLANNING AND ZONING**  
**OFFICIAL ZONING MAP**

1992 COMPREHENSIVE ZONING MAP  
Adopted by the Baltimore County Council  
Oct. 15, 1992  
SHEET NO. 103-92, 104-92, 105-92, 106-92, 107-92, 108-92, 109-92  
Chairman, County Council

SCALE  
1" = 200' ±  
DATE  
OF  
PHOTOGRAPHY  
JANUARY  
1985  
PERRY HALL.  
LOCATION  
SHEET  
11-G

Q - SW  
M - NW

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.  
TOPOGRAPHY COMPARED BY PHOTOGRAMMETRIC METHODS  
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

95-483-A





BALTIMORE COUNTY 95-483-A  
OFFICE OF PLANNING AND ZONING  
PHOTOGRAPHIC MAP

SCALE  
1" = 200'

LOCATION  
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OF  
PHOTOGRAPHY  
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1986

PERRY HALL

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PREPARED BY AIR PHOTOGRAPHICS, INC.  
MARTINSBURG, W.V. 25401



IN RE: PETITION FOR ADMINISTRATIVE VARIANCE  
ZONING VARIANCE  
SEC Whips Lane and Gunview Road  
1 Whips Lane  
11th Election District  
5th Councilmanic District  
John Greer Disney III  
Petitioner

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by John Greer Disney III for that property known as 1 Whips Lane in the Red Fox Farm subdivision of Baltimore County. The Petitioner/property owner herein seeks a variance from Sections 504.2 and 301.1A of the Baltimore County Zoning Regulations (BCZR) to permit a setback of 6.5 ft., in lieu of the required 11.25 ft., for an open projection (deck) in a D.R.3.5 zone. The property and relief sought are more particularly described on Petitioner's Exhibit No. 1, the plat to accompany the Petition.

The Petitioner having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioner has filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should, therefore, be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of

Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 27th day of July, 1995 that the Petition for a Zoning Variance from Sections 504.2 and 301.1A of the Baltimore County Zoning Regulations (BCZR) to permit a setback of 6.5 ft., in lieu of the required 11.25 ft., for an open projection (deck), be and is hereby GRANTED, subject, however, to the following restriction:

1. The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

LES:mmm

LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

-2-

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning

Suite 112 Courthouse  
400 Washington Avenue  
Towson, MD 21204

(410) 887-4386

July 27, 1995

Mr. John Greer Disney III  
1 Whips Lane  
Baltimore, Maryland 21236

RE: Petition for Administrative Zoning Variance  
Case No. 95-483-A  
Property: 1 Whips Lane

Dear Mr. Disney:

Enclosed please find the decision rendered in the above captioned case. The Petition for an Administrative Variance has been granted, with restrictions, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,

LAWRENCE E. SCHMIDT  
Zoning Commissioner

LES:mmm  
encl.

Petition for Administrative Variance  
to the Zoning Commissioner of Baltimore County

for the property located at 1 Whips Lane  
which is presently zoned D.R.3.5

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 504.2, 2 VBG, B (OLD C.N.D.P.) and 301.1A to allow an open projection (deck) a setback of 6.5 ft., in lieu of the required 11.25 ft.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)  
1. Current setback requirement are set at 11.4'. This would allow me to build a deck 7.0' in width.  
2. This property is unique in that it backs to my neighbors side yard. All other lots back to open space, and have much deeper yards.  
3. The design of this lot and house were the creation of Sterling Homes without any input from the current owner. The house was built with a 6.0x6.5' sliding door off the 2nd floor. Property is to be posted and advertised as prescribed by Zoning Regulations.  
I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s)  
John Greer Disney 3RD.

Signature  
John Greer Disney 3RD.

Signature  
N/A

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Baltimore County Government  
Office of Zoning Administration  
and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

July 13, 1995

NOTICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER: 95-483-A (Item 479)  
1 Whips Lane  
SEC Whips Lane and Gunview Road  
11th Election District - 5th Councilmanic

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

1) Your property should have been posted on or before July 9, 1995. The closing date (July 24, 1995) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reported and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reporting and newspaper advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

*Carl Jablon*

Arnold Jablon  
Director  
Department of Permits and Development Management

cc: John Geer Disney, Jr.

Printed with Soybean Ink  
on Recycled Paper

Baltimore County Government  
Office of Zoning Administration  
and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

July 20, 1995

Mr. John Geer Disney  
1 Whips Lane  
Baltimore, Maryland 21236

RE: Item No.: 479  
Case No.: 95-483-A  
Petitioner: J.G. Disney

Dear Mr. Disney:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on June 22, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

*W. Carl Richards, Jr.*

W. Carl Richards, Jr.  
Zoning Supervisor

WCR/jw  
Attachment(s)

Printed with Soybean Ink  
on Recycled Paper

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Zoning Administration and  
Development Management

DATE: July 12, 1995

FROM: Pat Keller, Director  
Office of Planning and Zoning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):

Item Nos. 479, 481, 484, 491, 492, 495, 4 and 6.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by:

Division Chief:

PK/JL

ITEM479/PZONE/ZAC1

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

TO: ZADM

DATE: 7/18/95

FROM: DEPRM  
Development Coordination

SUBJECT: Zoning Advisory Committee  
Agenda: 7/10/95

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s: 478  
479  
480  
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489  
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496  
revised 467

LS:sp

LETTY2/DEPRM/TXTSPB

Maryland Department of Transportation  
State Highway Administration

Hai Kasson  
Administrator

Ms. Joyce Watson  
Zoning Administration and  
Development Management  
County Office Building  
Room 109  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Re: Baltimore County  
Item No.: 479 (CAM)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

*Bob Small*  
for Ronald Burns, Chief  
Engineering Access Permits  
Division

BS/

PETITION PROBLEMS  
AGENDA OF JULY 10, 1995

#479 -- CAM

1. No review information on bottom of petition form.

#485 -- JJS

1. Only one legal owner signature -- need signature of Kang.
2. Need original signature for lessee.

#486 -- MJK

1. Petitioner was not given copy of receipt (still in folder).
2. Need telephone number for legal owner.
3. Need title of person signing for contract purchaser.

#488 -- RT

1. Need typed or printed name and title of person signing for contract purchaser.

#489 -- JRA

1. Need title of person signing for legal owner.

#493 -- JRA

1. Need telephone number for legal owner.
2. Need address for legal owner.
3. Need telephone number for attorney.

#494 -- JRA

1. Who is legal owner? (Petition says Michael J. Specht & plat says Exxon Company, USA)

#495 -- JJS

1. Notary public section is incomplete.

#496 -- JJS

1. No original signatures on petitions.

RED FOX FARM HOMEOWNERS ASSOCIATION

June 19, 1995

Members of Record as of September 1994:

On June 9, 1995 a submittal was presented to the voting members of the above captioned group detailing a request to install deck and patio on the property at 1 Whips Lane.

After their review of that submittal, with no sustained requests for a general meeting outstanding, the request is approved to go forward.

The modifications noted in the submittal are to be considered site specific to the property identified in the submittal.

It is further noted that the plans reviewed will require a variance to be obtained from Baltimore County because of proximity to the property line.

Susan M. Ely  
9531 Gunview Road  
Baltimore Maryland 21236



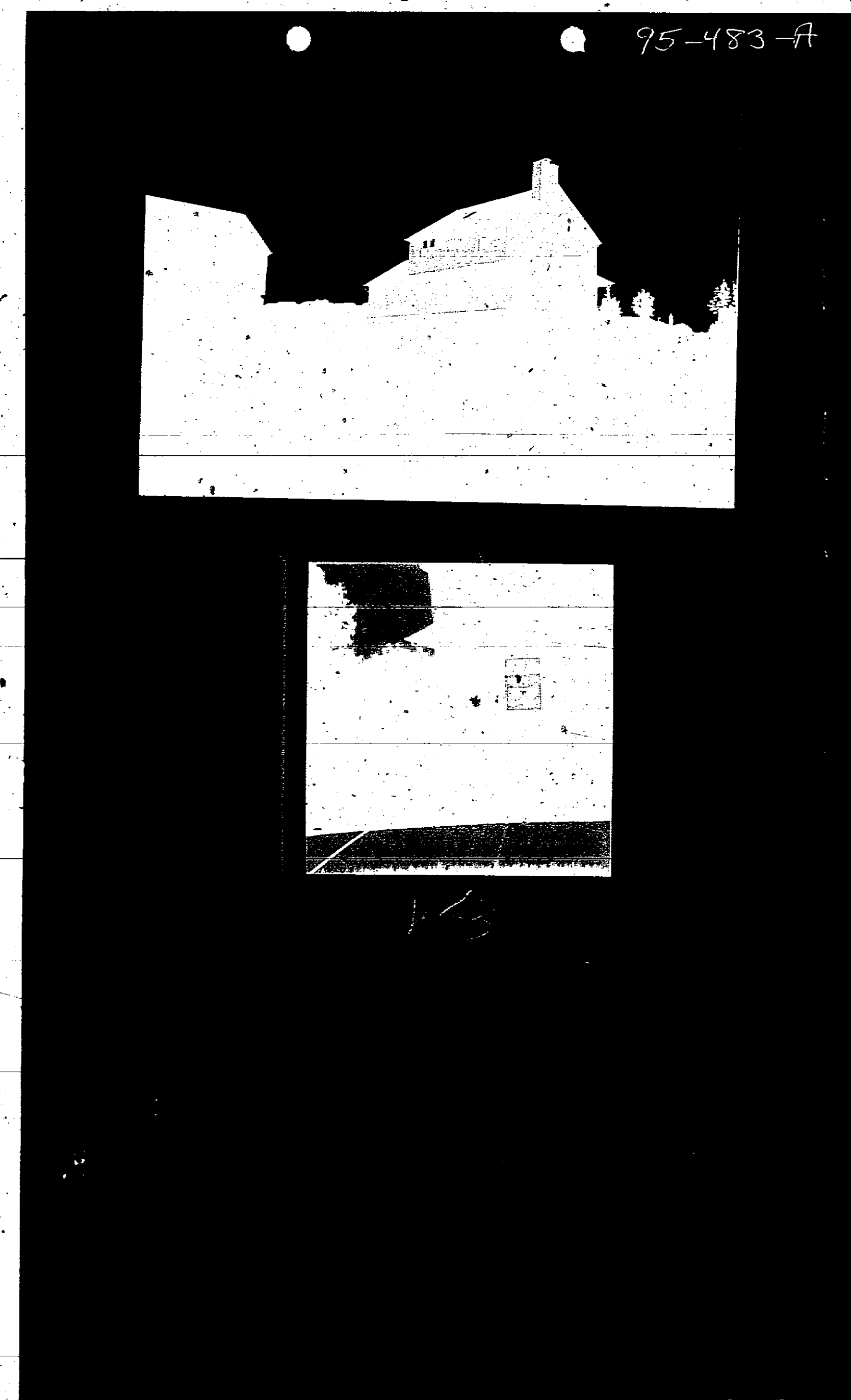
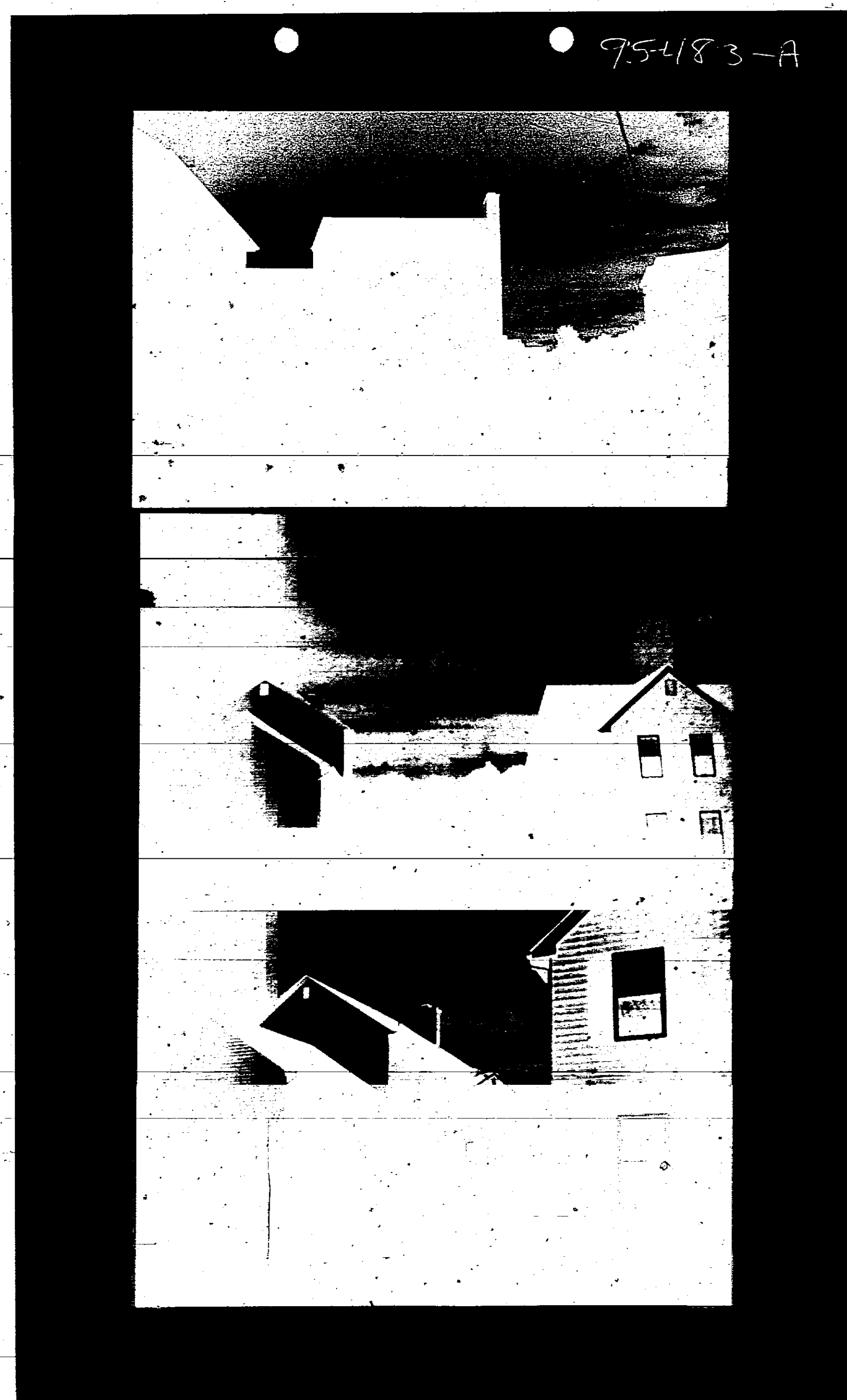
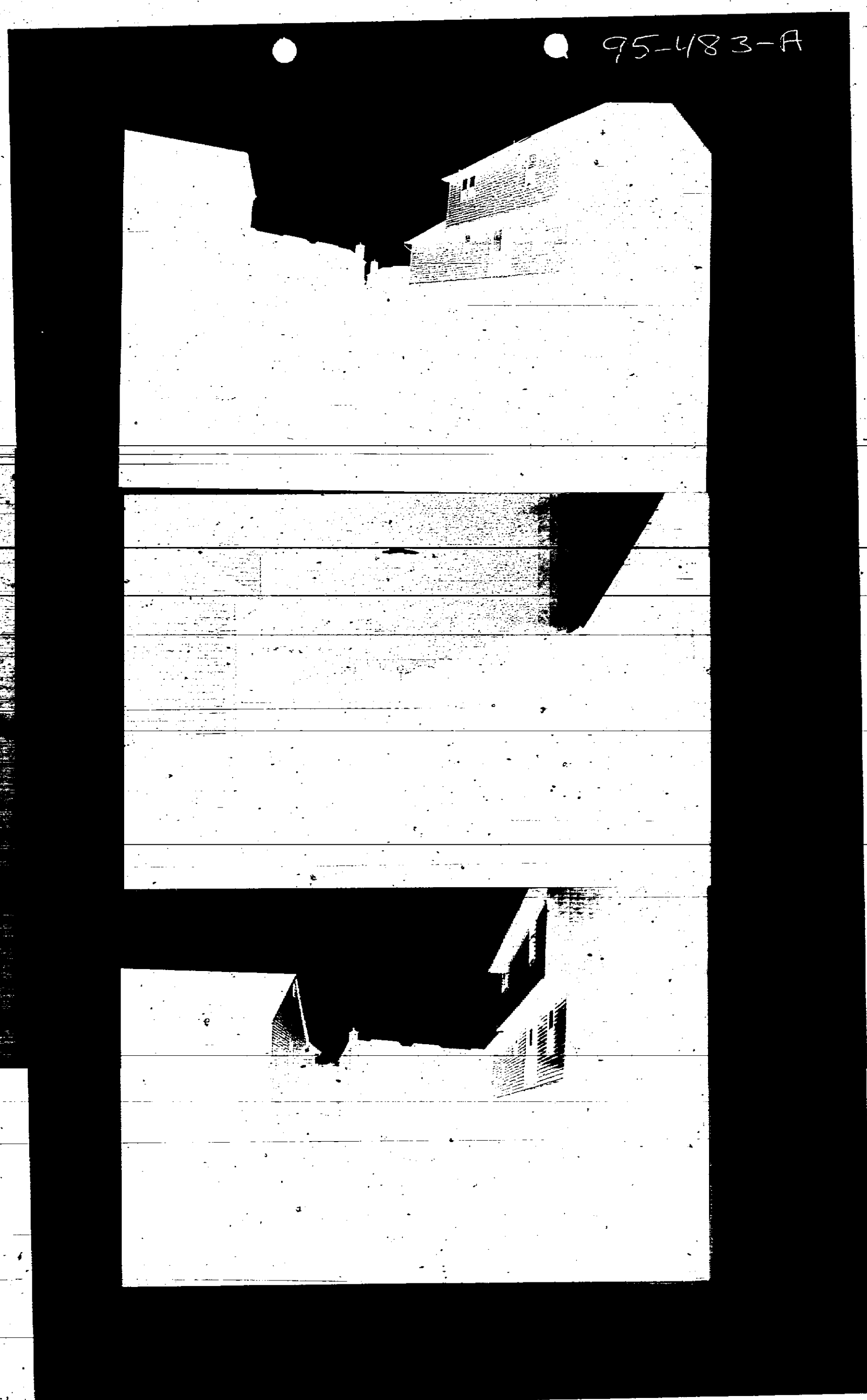
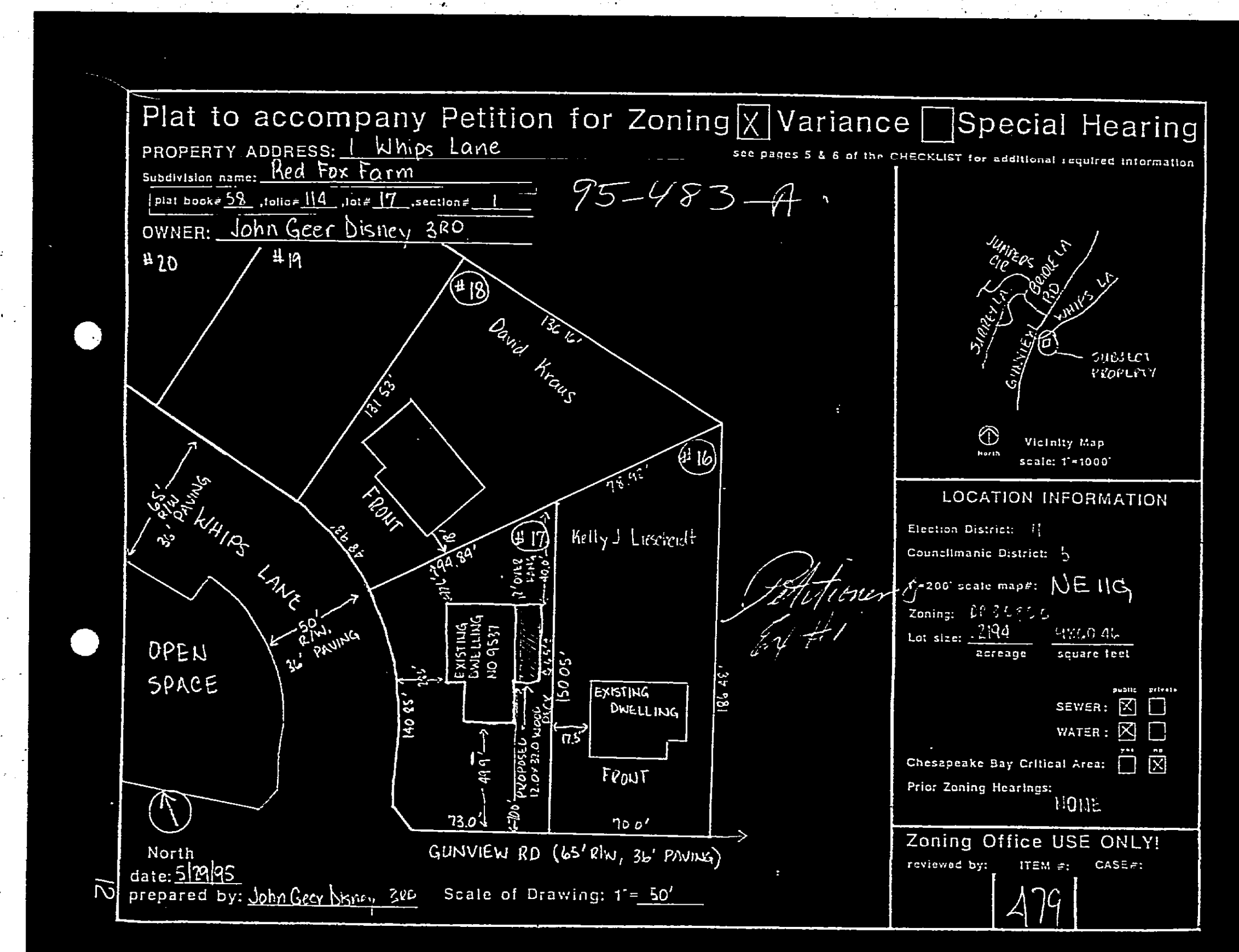
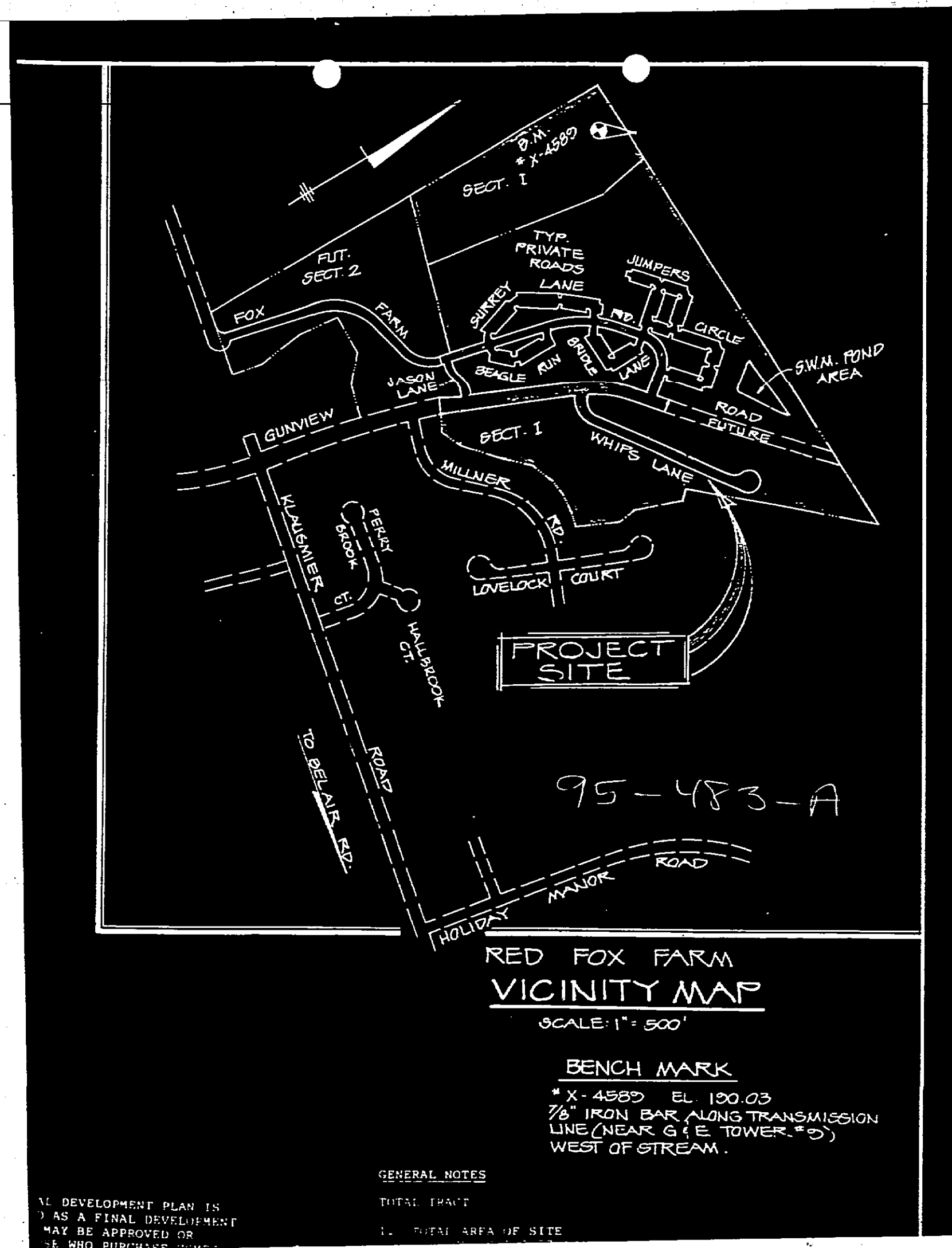
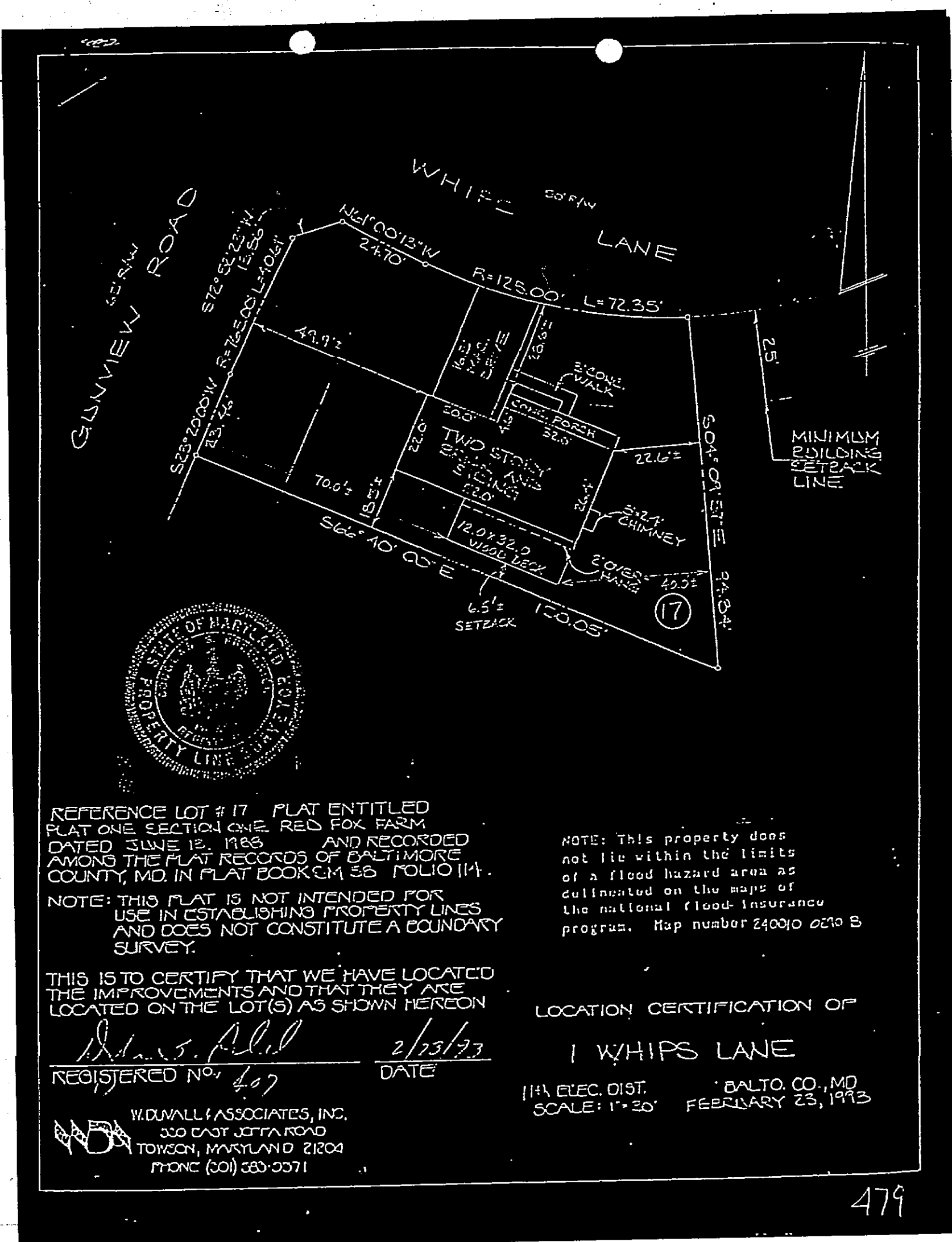
Dear Neighbors,

Attached here you will find plans for a proposed deck and patio to be constructed on 1 Whips Lane. If you have any questions or comments stop buy or call me at H 410-256-0131 or W 410-234-6084.

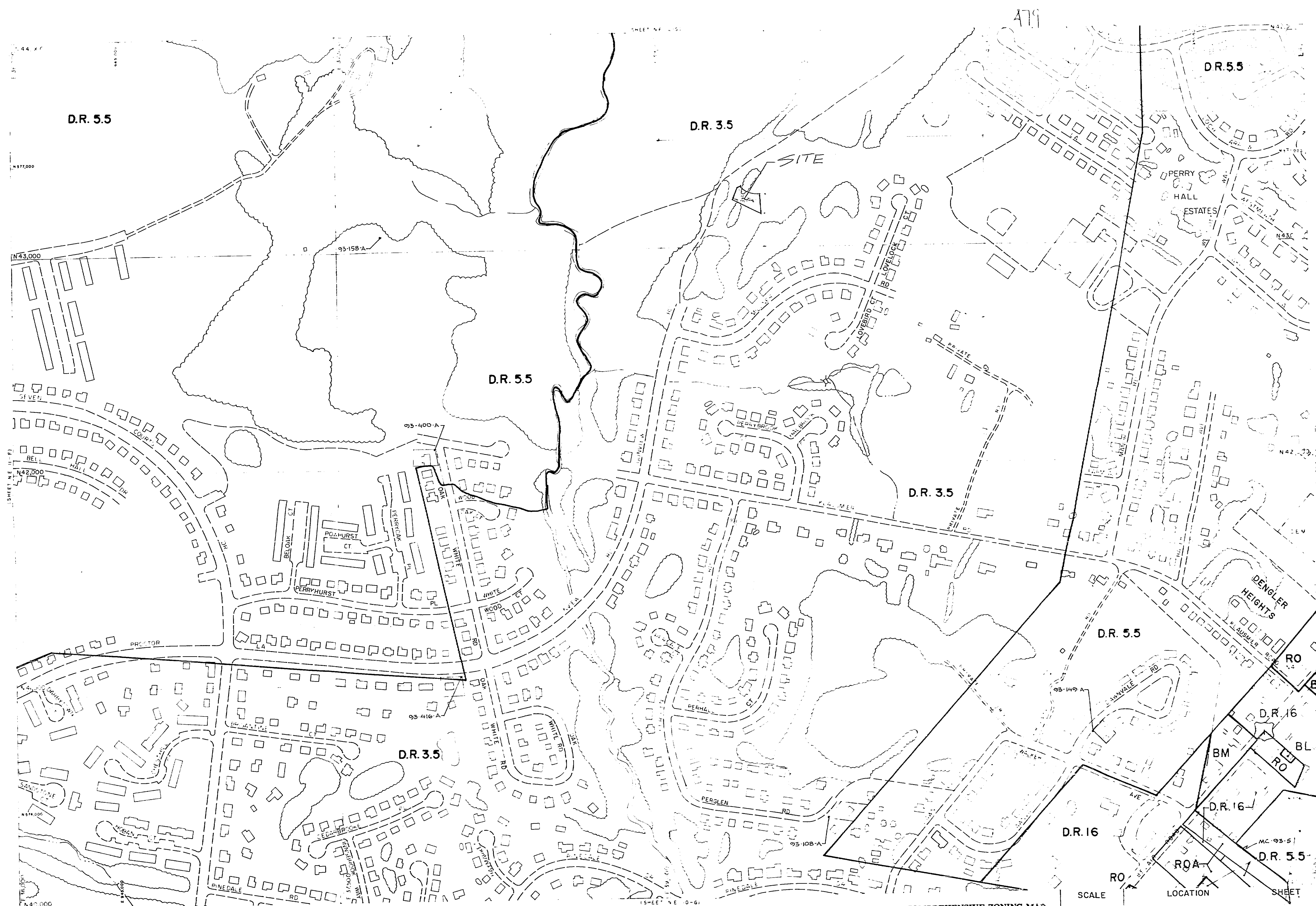
Sincerely,

Jack Disney









BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
OFFICIAL ZONING MAP

1992 COMPREHENSIVE ZONING MAP  
Adopted by the Baltimore County Council  
Oct. 15, 1992

*William A. Howard*  
Chairman, County Council

SCALE  
1" = 200'  
DATE  
OF  
PHOTOGRAPHY  
9-86

LOCATION  
PERRY HALL

SHEET  
N.E.  
-G

Q-SW  
M-NW

THIS MAP HAS BEEN REVISED IN SELECTED AREAS  
PHOTOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS  
BY BUCHART HORN, INC. BALTIMORE, MD 21210

95-483-A





BALTIMORE COUNTY 95-483-A  
OFFICE OF PLANNING AND ZONING  
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.  
MARTINSBURG, W.V. 25401

SCALE	LOCATION	SHEET
1" = 200' ±	PERRY HALL	NE II-G
DATE OF PHOTOGRAPHY JANUARY 1986		